7. Misbranding of E E Powders. U. S. v. 936 Cartons of E. E. Powders. Default decree of condemnation and destruction. (F. D. C. No. 197. Sample No. 44932–D.)

These powders contained acetanilid, acetylsalicylic acid, and potassium bromide, and would have been dangerous to health when used as prescribed, recommended, or suggested in the labeling. They were recommended in the labeling for the relief of simple headache, neuralgia, muscular aches and pains, head colds, and as an aid in reducing fever, with directions that 1 powder be taken and repeated in 1 hour, if needed, for simple headache; that 1 powder be taken every 3 hours for head colds and for reducing fever, and that ½ powder be given to children under 10 years of age every 3 hours. Its labeling also failed to reveal facts material with respect to the consequences which might result from its use under conditions of use prescribed therein and failed to bear warnings against use in those pathological conditions or by children where its use might be dangerous to health or against unsafe dosage or methods or duration of administration in such manner and form as are necessary for the protection of users. The labeling was further objectionable because of the misleading statement on the envelope and shipping cartons that each powder contained 4 grains of acetanilid, since each powder contained approximately 4.99 grains of acetanilid.

On March 10, 1939, the United States attorney for the Western District of North Carolina filed a libel against 936 cartons of E E Powders at Lincolnton, N. C.; alleging that the article had been shipped in interstate commerce on or about October 7, 1938, by the E E Medicine Co. from Greenville, S. C.; and charging that it was misbranded.

The libel alleged that the article was also misbranded in violation of the Food and Drugs Act of June 30, 1906, reported in notice of judgment No. 30881 published under that act.

On April 8, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8. Misbranding of Causalin. U. S. v. 44 Packages of Causalin (and 4 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. D. C. Nos. 14, 69, 70, 71, 72. Sample Nos. 25962–D, 25963–D, 25964–D, 30071–D, 30074–D, 30092–D, 30097–D, 35567–D, 35569–D, 35570–D.)

This product consisted of capsules and tablets containing aminopyrine (aminodimethylpyrazolon), salicylic ethyl ester carbonate, and a sulfonate such as quinolinesulfonate. It would be dangerous to health when used in the dosage, or with the frequency prescribed, recommended, and suggested in the labeling in which it was recommended that it be taken in the dosage as directed by the physician, that is, 1 to 2 tablets or capsules 3 times a day ½ hour before meals.

On July 27, September 1, and September 8, 1938, the United States attorneys for the District of New Jersey, District of Rhode Island, and the Eastern District of Pennsylvania filed libels against 44 packages of Causalin at Newark, N. J.; 46 packages at Providence, R. I.; and 121 packages of the product at Philadelphia, Pa.; alleging that it had been shipped in interstate commerce by the Amfre Drug Co. from New York, N. Y., within the period from on or about July 1 to on or about August 22, 1938; and charging that it was misbranded for the reasons appearing above.

The libels also charged that the article was adulterated and misbranded in violation of the Food and Drugs Act, as reported in notice of judgment No. 29757 published under that act.

On September 7, September 20, and October 5, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

9. Misbranding of Causalin. U. S. v. 89 Packages, et al., of Causalin. Default decrees of condemnation and destruction. (F. D. C. Nos. 226, 227. Sample Nos. 35890–D, 35895–D, 59756–D to 59759–D, incl.)

This product consisted of tablets and capsules containing aminopyrine, salicylic ethyl ester carbonate, and quinolinesulfonate. It would be dangerous to health when used in the dosage suggested in the labeling, in which it was recommended that it be taken in the dosage directed by the physician. Its labeling failed to reveal facts material with respect to the consequences which might result from its use under the conditions of use prescribed in its labeling or under such conditions of use as are customary or usual, and it failed to bear adequate warnings against unsafe dosage or methods or duration of administration in such manner and form as are necessary for the protection of users.